

Application No. 09/972,195
Reply dated November 16, 2005
Reply to Office Action dated July 29, 2005

REMARKS

As shown by the attached post card receipt, applicants filed a certified copy of their German priority document on January 7, 2002 contrary to the statement found in paragraph two on page two of the Office Action. Acknowledgement of receipt is respectfully requested.

The objection to allowable Claim 10 has been addressed. In this connection, we note the indication of the allowability of Claims 9, 12, 15-18, 21, 22, 24, 26, 29, and 33. The Examiner is requested to rejoin Claims 19, 20 and 31 which are dependent upon allowable sub-generic and elected Claim 15.

Likewise, in light of the amendments to Claims 1 and 11, the rejection of Claims 1-18, 21-29, 32 and 33 under 35 U.S.C. § 112, paragraph two is deemed overcome. Applicants submit that the rejection was not proper as the minor antecedent issue in Claim 1 would not have prevented one skilled in the art from discerning the metes and bounds of their invention.

The rejections of Claims 1, 4, 7 and 32 as being anticipated by Cattanach et al under 35 U.S.C. § 102(b), of Claim 8 as being anticipated by or, in the alternative, obvious over Cattanach et al under 35 U.S.C. § 103(a), of Claims 2, 3, 13 and 14 as being unpatentable over Cattanach et al in view of Jarnverk under 35 U.S.C. § 103(a), of Claims 5, 6, 11, 23, 25, 27 and 28 as being unpatentable over Cattanach et al under 35 U.S.C. § 103(a), are traversed. Reconsideration of each of these rejections is respectfully requested.

The linchpin of all of the rejections are the teachings of the Cattanach et al patent. That patent neither teaches nor suggests the claimed invention set forth in amended Claim 1 with or without the other prior art of record, including Jarnverk.

The Cattanach et al patent teaches several different methods for forming composites but none of them involve a method in which two or more sheets are first connected at predetermined points, heated to a forming temperature and then joined at a temperature above the forming temperature (a hot state) with subsequent cooling in a closed forming tool or in a following fixing tool. To the contrary, the Cattanach et al composites which employ a thermoformable matrix (thermoplastic or thermosetting) are, among other things, not first connected at predetermined points. For example, the composite or sandwich shows in Fig. 1 of the Cattanach et al patent has edges of the sheet 3 that are free from constraint. The sandwich is then put in contact with a forming tool and, at the same time (not before), heated to a temperature at which deforming can occur. Given how the Cattanach et al composite is structured, moreover, it would not have been obvious or made much sense to connect the sheets of predetermined points, then heat and subsequently form. Indeed, rather than connected the sheets at predetermined points, the Cattanach et al patent teaches the use of lubricant between the thermoforming sheet 1 and the aluminum alloy sheets 2, 3.

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The use of the Jarnverk document with the Cattanach et al patent is made possible solely by impermissible hindsight. One of ordinary skill in the art would certainly not have been led to use the unrelated steel manufacturing method of Jarnverk to produce the thermoforming-aluminum alloy sheets composite of Cattanach et al. This too would not be rational from a technological point of view.

Accordingly, early and favorable action is earnestly solicited.

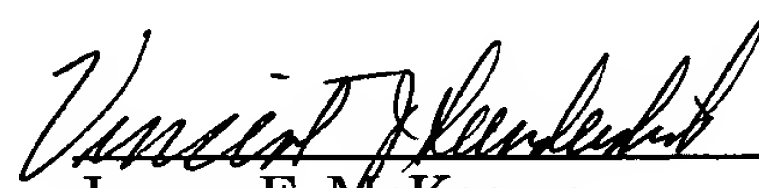
If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

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If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #095309.50476).

Respectfully submitted,

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